

Senate File 510

H-1371

1 Amend the amendment, H-1365, to Senate File 510,
2 as amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, after line 4 by inserting:

5 <DIVISION

6 ONLINE LEARNING PROGRAMS

7 Sec. _____. Section 256.7, subsection 32, paragraph
8 c, Code 2015, is amended to read as follows:

9 c. Adopt rules that limit the statewide enrollment
10 of pupils in educational instruction and course content
11 that are delivered primarily over the internet to not
12 more than eighteen one-hundredths of one percent of
13 the statewide enrollment of all pupils, and that limit
14 the number of pupils participating in open enrollment
15 for purposes of receiving educational instruction
16 and course content that are delivered primarily over
17 the internet to no more than one percent of a sending
18 district's enrollment. Until June 30, ~~2015~~ 2017,
19 students shall not apply if the limitations would
20 prevent siblings from enrolling in the same school
21 district or if a sending district determines that
22 the educational needs of a physically or emotionally
23 fragile student would be best served by educational
24 instruction and course content that are delivered
25 primarily over the internet. Students who meet the
26 requirements of section 282.18 may participate in open
27 enrollment under this paragraph "c" for purposes of
28 enrolling only in the CAM community school district or
29 the Clayton Ridge community school district.

30 (01) The department, in collaboration with the
31 international association for K-12 online learning,
32 shall annually collect data on student performance in
33 educational instruction and course content that are
34 delivered primarily over the internet pursuant to this
35 paragraph "c". The department shall include such data
36 in its annual report to the general assembly pursuant
37 to subparagraph (3) and shall post the data on the
38 department's internet site.

39 (1) School districts providing educational
40 instruction and course content that are delivered
41 primarily over the internet pursuant to this paragraph
42 "c" shall annually submit to the department, in the
43 manner prescribed by the department, data that includes
44 but is not limited to ~~student~~ the following:

45 (a) Student achievement and demographic
46 characteristics, retention.

47 (b) Retention rates, and the.

48 (c) The percentage of enrolled students' active
49 participation in extracurricular activities.

50 (d) Academic proficiency levels, consistent with

1 requirements applicable to all school districts and
2 accredited nonpublic schools in this state.

3 (e) Academic growth measures, which shall include
4 either of the following:

5 (i) Entry and exit assessments in, at a minimum,
6 math and English for elementary and middle school
7 students, and additional subjects, including science,
8 for high school students.

9 (ii) State-required assessments that track
10 year-over-year improvements in academic proficiency.

11 (f) Academic mobility. To facilitate the tracking
12 of academic mobility, school districts shall request
13 the following information from the parent or guardian
14 of a student enrolled in educational instruction and
15 course content that are delivered primarily over the
16 internet pursuant to this paragraph "c":

17 (i) For a student newly enrolling, the reasons for
18 choosing such enrollment.

19 (ii) For a student terminating enrollment, the
20 reasons for terminating such enrollment.

21 (g) Student progress toward graduation.
22 Measurement of such progress shall account for specific
23 characteristics of each enrolled student, including
24 but not limited to age and course credit accrued prior
25 to enrollment in educational instruction and course
26 content that are delivered primarily over the internet
27 pursuant to this paragraph "c", and shall be consistent
28 with evidence-based best practices.

29 (2) The department shall conduct annually a survey
30 of not less than ten percent of the total number of
31 students enrolled as authorized under this paragraph
32 "c" and section 282.18, and not less than one hundred
33 percent of the students in those districts who are
34 enrolled as authorized under this paragraph "c" and
35 section 282.18 and who are eligible for free or reduced
36 price meals under the federal National School Lunch
37 Act and the federal Child Nutrition Act of 1966, 42
38 U.S.C. §§1751-1785, to determine whether students are
39 enrolled under this paragraph "c" and section 282.18
40 to receive educational instruction and course content
41 primarily over the internet or are students who are
42 receiving competent private instruction from a licensed
43 practitioner provided through a school district
44 pursuant to chapter 299A.

45 (3) The department shall compile and review the
46 data collected pursuant to this paragraph "c" and
47 shall submit its findings and recommendations for the
48 continued delivery of instruction and course content by
49 school districts pursuant to this paragraph "c", in a
50 report to the general assembly by January 15 annually.

1 (4) ~~This paragraph "c" is repealed July 1, 2015.~~
2 School districts providing educational instruction
3 and course content that are delivered primarily over
4 the internet pursuant to this paragraph "c" shall
5 comply with the following requirements relating to such
6 instruction and content:

7 (a) Monitoring and verifying full-time student
8 enrollment, timely completion of graduation
9 requirements, course credit accrual, and course
10 completion.

11 (b) Monitoring and verifying student progress and
12 performance in each course through a school-based
13 assessment plan that includes submission of coursework
14 and security and validity of testing.

15 (c) Conducting parent-teacher conferences.

16 (d) Administering assessments required by the state
17 to all students in a proctored setting and pursuant to
18 state law.

19 DIVISION _____

20 HUMAN GROWTH AND DEVELOPMENT

21 Sec. _____. Section 279.50, subsections 3 and 5, Code
22 2015, are amended to read as follows:

23 3. Each school board shall annually provide to
24 a parent or guardian of any pupil enrolled in the
25 school district, information about the human growth and
26 development curriculum used in the pupil's grade level
27 and the procedure for inspecting the instructional
28 materials prior to their use in the classroom or at any
29 educational conference or seminar.

30 5. ~~A pupil shall not be required to take~~
31 ~~instruction in human growth and development if the~~
32 ~~pupil's parent or guardian files with the appropriate~~
33 ~~principal a written request that the pupil be excused~~
34 ~~from the instruction. Except with the written consent~~
35 ~~of a pupil's parent or guardian, which shall be filed~~
36 ~~with the appropriate school principal, a pupil shall~~
37 ~~not be required to take instruction in human growth and~~
38 ~~development nor attend an educational conference or~~
39 ~~seminar. Notification that the written request may be~~
40 ~~made shall be included in the information provided by~~
41 ~~the school district.~~

42 DIVISION _____

43 HEALTH CARRIER DISCLOSURES

44 Sec. _____. NEW SECTION. 514K.2 Health carrier
45 disclosures — public internet sites.

46 1. A carrier that provides small group health
47 coverage pursuant to chapter 513B or individual health
48 coverage pursuant to chapter 513C and that offers
49 for sale a policy, contract, or plan that covers the
50 essential health benefits required pursuant to section

1 1302 of the federal Patient Protection and Affordable
2 Care Act, Pub. L. No. 111-148, and its implementing
3 regulations, shall provide to each of its enrollees
4 at the time of enrollment, and shall make available
5 to prospective enrollees and enrollees, insurance
6 producers licensed under chapter 522B, and the general
7 public, on the carrier's internet site, all of the
8 following information in a clear and understandable
9 form for use in comparing policies, contracts, and
10 plans, and coverage and premiums:

11 a. Any exclusions from coverage and any
12 restrictions on the use or quantity of covered items
13 and services in each category of benefits, including
14 prescription drugs and drugs administered by a
15 physician or clinic.

16 b. Any items or services, including prescription
17 drugs, that have a coinsurance requirement where the
18 cost-sharing required depends on the cost of the item
19 or service.

20 c. The specific prescription drugs available on
21 the carrier's formulary, the specific prescription
22 drugs covered when furnished by a physician or clinic,
23 and any clinical prerequisites or prior authorization
24 requirements for coverage of the drugs.

25 d. The specific types of specialists available
26 in the carrier's network and the specific physicians
27 included in the carrier's network.

28 e. The process for an enrollee to appeal a
29 carrier's denial of coverage of an item or service
30 prescribed or ordered by the enrollee's treating
31 physician.

32 f. How medications will specifically be included
33 in or excluded from the deductible, including a
34 description of all out-of-pocket costs that may not
35 apply to the deductible for a prescription drug.

36 2. The commissioner may adopt rules pursuant to
37 chapter 17A to administer this section.

38 3. The commissioner may impose any of the sanctions
39 provided under chapter 507B for a violation of this
40 section.

41 **Sec. ____ . NEW SECTION. 514K.3 Health care plan**
42 **internal appeals process — disclosure requirements.**

43 1. A carrier that provides small group health
44 coverage pursuant to chapter 513B or individual
45 health coverage pursuant to chapter 513C through the
46 issuance of nongrandfathered health plans as defined
47 in section 1251 of the federal Patient Protection
48 and Affordable Care Act, Pub. L. No. 111-148, and
49 in 45 C.F.R. §147.140, shall implement and maintain
50 procedures for carrying out an effective internal

1 HOUSING ENTERPRISE TAX CREDIT

2 Sec. _____. 2014 Iowa Acts, chapter 1130, is amended
3 by adding the following new section:

4 NEW SECTION. SEC. 41A. Notwithstanding the section
5 of this Act repealing section 15E.193B, the economic
6 development authority may enter into an agreement
7 and issue housing enterprise tax credits to a housing
8 business if all the following conditions are met:

9 1. The city or county in which the enterprise
10 zone is located mailed, or caused to be mailed, the
11 necessary program application forms on or after June 1,
12 2014, and prior to July 1, 2014, but the applications
13 were not received by the economic development
14 authority. The economic development authority may
15 accept an affidavit by a city to confirm timely mailing
16 of the application forms, notwithstanding section
17 622.105.

18 2. The application forms submitted pursuant to
19 subsection 1 were approved by all necessary governing
20 bodies and commissions of the city or county as
21 required by chapter 15E, division XVIII, Code 2014.

22 3. The economic development authority determines
23 the housing business would otherwise be eligible under
24 section 15E.193B, Code 2014.

25 4. The city or county and the eligible housing
26 business meet all other requirements of the housing
27 enterprise tax credit program under chapter 15E,
28 division XVIII, Code 2014, and the agreement to be
29 entered into pursuant to this section.

30 Sec. _____. 2014 Iowa Acts, chapter 1130, section 43,
31 subsection 1, is amended to read as follows:

32 1. On or after the effective date of this division
33 of this Act, a city or county shall not create an
34 enterprise zone under chapter 15E, division XVIII,
35 or enter into a new agreement or amend an existing
36 agreement under chapter 15E, division XVIII, unless
37 otherwise authorized in this Act.

38 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
39 of this Act, being deemed of immediate importance,
40 takes effect upon enactment.

41 Sec. _____. RETROACTIVE APPLICABILITY. This division
42 of this Act applies retroactively to July 1, 2014.

43 DIVISION

44 ELIGIBILITY VERIFICATION — UNEMPLOYMENT INSURANCE

45 Sec. _____. NEW SECTION. **96.55 Eligibility**
46 **verification procedures.**

47 1. The department shall establish procedures to
48 accurately verify the eligibility to receive benefits
49 of each individual filing a claim for benefits in order
50 to prevent payment of fraudulent or erroneous benefits.

1 The procedures shall include but not be limited to the
2 following components:

3 a. A requirement that each individual filing
4 a claim for benefits provide correct answers to
5 randomized questions relating to the individual's
6 identity.

7 b. A process to prevent an individual who is
8 ineligible for benefits due to the individual's
9 incarceration in a jail, prison, or other correctional
10 institution or facility from filing a claim for
11 benefits or receiving benefits. The department shall
12 coordinate the administration of this process with
13 the department of corrections and federal, state,
14 and local law enforcement agencies. The department
15 of corrections and state and local law enforcement
16 agencies shall cooperate with the department in the
17 administration of this process.

18 2. The department may utilize one or more requests
19 for proposals to administer this section. The
20 department may enter into agreements pursuant to
21 chapter 28E to administer this section. The department
22 shall utilize existing information technology resources
23 of state and local government to administer this
24 section where practicable.

25 Sec. _____. IMPLEMENTATION — REPORT. The department
26 of workforce development shall implement the procedures
27 required by this division of this Act no later than
28 June 30, 2016. The department shall submit a report
29 on the department's progress in implementing the
30 procedures required by this division of this Act to
31 the general assembly by December 15, 2015. The report
32 shall include any statutory changes necessary to
33 facilitate the implementation of this division of this
34 Act.

35 DIVISION

36 REFUND FRAUD — INCOME TAXES

37 Sec. _____. Section 421.17, subsection 23, Code 2015,
38 is amended to read as follows:

39 23. To develop, modify, or contract with vendors to
40 create or administer systems or programs which identify
41 nonfilers of returns or nonpayers of taxes administered
42 by the department and to identify and prevent the
43 issuance of fraudulent or erroneous refunds. Fees
44 for services, reimbursements, costs incurred by the
45 department, or other remuneration may be funded from
46 the amount of tax, penalty, or interest actually
47 collected and shall be paid only after the amount is
48 collected. An amount is appropriated from the amount
49 of tax, penalty, and interest actually collected, not
50 to exceed the amount collected, which is sufficient

1 to pay for services, reimbursement, costs incurred by
2 the department, or other remuneration pursuant to this
3 subsection. Vendors entering into a contract with the
4 department pursuant to this subsection are subject to
5 the requirements and penalties of the confidentiality
6 laws of this state regarding tax information. The
7 director shall report annually to the legislative
8 services agency and the chairpersons and ranking
9 members of the ways and means committees on the amount
10 of costs incurred and paid during the previous fiscal
11 year pursuant to this subsection and the incidence
12 of refund fraud and the costs incurred and amounts
13 prevented from issuance during the previous fiscal year
14 pursuant to this subsection.

15 Sec. ____ . IMPLEMENTATION — REPORT. The director
16 of revenue shall implement the procedures required
17 by this division of this Act no later than January
18 1, 2016. The director shall submit a report on the
19 director's progress in implementing the procedures
20 required by this division of this Act to the general
21 assembly by October 3, 2016. The report shall include
22 any statutory changes necessary to facilitate the
23 implementation of this division of this Act.

24 DIVISION _____

25 ELIGIBILITY VERIFICATION — MEDICAID

26 Sec. ____ . MEDICAID PROGRAM — ELIGIBILITY
27 VERIFICATION SYSTEM. The department of human services
28 shall ensure during the fiscal year beginning July
29 1, 2015, that the department's Medicaid program
30 eligibility system, the eligibility integrated
31 application solution (ELIAS), is capable of accurately
32 verifying the identity of individuals for the purposes
33 of initial eligibility and redetermination of
34 eligibility for the Medicaid program. The department
35 shall submit a report on the department's progress
36 in implementing this section to the general assembly
37 by December 15, 2015. The report shall include
38 any statutory changes necessary to facilitate the
39 implementation of this section.>

40 2. By renumbering as necessary.

HALL of Woodbury

ABDUL-SAMAD of Polk

BENNETT of Linn

BERRY of Black Hawk

BROWN-POWERS of Black Hawk

DUNKEL of Dubuque

FORBES of Polk

GAINES of Polk

GASKILL of Wapello

HANSON of Jefferson

HUNTER of Polk

KEARNS of Lee

KELLEY of Jasper

LENSING of Johnson

MASCHER of Johnson

McCONKEY of Pottawattamie

H. MILLER of Webster

OLDSON of Polk

OURTH of Warren

PRICHARD of Floyd

RUNNING-MARQUARDT of Linn

SMITH of Marshall

STAED of Linn

STUTSMAN of Johnson

T. TAYLOR of Linn

THEDE of Scott

WESSEL-KROESCHELL of Story

WINCKLER of Scott